

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on August 5, 2014, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)(*entered the meeting at 6:04 p.m.*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Darcie K. Salmon, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Michael Brown, Capital Projects Director
Mr. Carl Hereford, Acting Information Technology Director

III. APPROVAL OF AGENDA

Mayor DeVilbiss inquired if there were any changes to the agenda.

Mr. Moosey:

- related that his son-in-law works for Tutka, LLC.;
- stated that he has not involvement with Tutka, but wanted the Assembly to be aware;
- requested to remove Ordinance Serial No. 14-104 from the agenda and to take no action; and
- advised that staff had requested that it be removed and that it would come back before the Assembly at the next regular meeting.

Mayor DeVilbiss queried if there was any objection.

GENERAL CONSENT: The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Emerson Krueger, Planner II.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 06/17/14
- B. Regular Assembly Meeting: 06/17/14
- C. Special Assembly Meeting: 07/02/14

Mayor DeVilbiss inquired if there were any corrections to the special meeting minutes of June 17, 2014, the regular meeting minutes of June 17, 2014, or the special meeting minutes of July 2, 2014.

GENERAL CONSENT: The minutes were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- advised that the Wasilla City Library funding is currently at \$2,800,000 dollars;
- stated that the City passed ordinances regarding pan handling, nuisance to businesses, and taxi cab regulation;
- spoke to the vote by the Parks and Recreation Board and the Planning Commission regarding banning all terrain vehicles; and
- noted that it would soon be going before the City Council for action.

2. Matanuska-Susitna Borough School District

Dr. Deena Paramo, Superintendent:

- noted that School District staff report for duty on August 7 with school beginning August 14;
- spoke to the number of school buses that will be operating this year; and
- noted that the two newly built schools are open and will be taking students this year.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck:

- spoke to his intent to attend the ribbon cutting ceremonies for Valley Pathways School and Mat-Su Day School on Friday August 15, at 10 a.m. and 1 p.m., respectively;
- noted that the Matanuska-Susitna Borough School District transports students over more road miles than any other district within Alaska; and
- related that all projects are on target.

2. Assembly Public Relations

Assemblymember Beck

- spoke to attending the Mat-Su Farm Bureau annual tour;
- noted that it was very educational and well attended;
- spoke to the Great Alaska Mat-Su School Community Café event that he attended; and
- noted the discussion was centered around schools and school needs.

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- related a story about his mother's visit to Alaska;
- spoke to legislation regarding the Borough's 2015 State Legislative Priorities that will be coming forward; and
- summarized the presentations that will occur this evening.

3. Rail Presentation

Mr. Joe Perkins, of Perkins Coie provided an update regarding the Port MacKenzie Rail Extension Project.

4. Emergency Medical Services Presentation

Mr. Dennis Brodigan, Emergency Services Director, provided a presentation regarding Emergency Medical Services staffing.

5. Long Range Transportation Plan

Mr. Emerson Krueger, Planner II, provided a report regarding the Long Range Transportation Plan.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- announced that Ms. Lisa Richard of his office will be retiring and travelling with her husband; and
- stated that she is leaving on a good note and may come back to perform work for his office from time to time.

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- spoke to upcoming pertinent election dates;
- noted that the election pamphlet is attached to the Clerk's report; and
- queried if there were any changes to the pamphlet.

There were no changes noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 04/14/14
- b. Caswell FSA Board of Supervisors: 03/12/14
- c. Enhanced 911 Advisory Board: 02/11/14
- d. Greater Talkeetna RSA Board of Supervisors: 04/10/14, 05/08/14
- e. Local Emergency Planning Committee: 03/19/14
- f. Local Road Service Area Board of Supervisors: 04/17/14, 5/15/14
- g. MSB 8.32 Review Commission: 04/18/14, 05/16/14
- h. MSB Fish and Wildlife Commission: 03/20/14
- i. Parks, Recreation, and Trails Advisory Board: 04/28/14
- j. Planning Commission: 05/05/14, 05/19/14, 06/02/14, 06/16/14 Resolution Serial Nos. 14-10 (AM), 14-12 (AM), 14-13, 14-14, 14-15
- k. Platting Board: 04/03/14, 05/15/14, 06/05/14
- l. Port Commission: 03/17/14, 04/21/14, Resolution Serial Nos. 14-001, 14-002
- m. Transportation Advisory Board: 04/22/14, Resolution Serial Nos. 14-02, 14-03
- n. Joint Wasilla-Lakes/West Lakes FSA Board of Supervisors: 03/10/14

2. Community Council Minutes:

- a. Big Lake Community Council: 03/11/14, 04/08/14, 05/13/14
- b. Chickaloon Community Council: 04/09/14, 05/14/14
- c. Meadow Lakes Community Council: 01/08/14, 02/12/14, 03/12/14, 04/08/14
- d. Point MacKenzie Community Council: 02/13/14
- e. Talkeetna Community Council: 03/03/14, 04/07/14, 05/05/14
- f. Trapper Creek Community Council: 03/20/14, 04/17/14, 05/15/14

The citizen and other correspondence were presented and no comments were noted.

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

(Assemblymember Colver exited the meeting.)

VII. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 14-045:** An Ordinance Amending The Operating Rules, Rates, And Procedures For The Talkeetna Sewer And Water Special Service Area For The Supply Of Public Sewer And Water Systems By Increasing The Rates For Monthly Water And Sewer Charges And Interrupted Service Fees.
1. IM No. 14-052

MOTION PENDING: Assemblymember Halter moved to adopt Ordinance Serial No. 14-045.

VOTE: The motion failed unanimously.

(The meeting recessed at 6:55 p.m. and reconvened at 7:05 p.m.)

VIII. VETO

(There were no vetoes presented.)

IX. SPECIAL ORDERS

- A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

- B. PUBLIC HEARINGS (Three minutes per person.)

(Assemblymember Colver re-entered the meeting.)

Mayor DeVilbiss inquired if there was any objection to taking up public hearing nos. 1 through 4 together.

There was no objection noted.

1. **Ordinance Serial No. 14-068:** An Ordinance Creating Dusk Lake Estates Natural Gas Local Improvement District No. 532, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
 - a. IM No. 14-116

2. **Ordinance Serial No. 14-074:** An Ordinance Creating East Carney Road Natural Gas Local Improvement District No. 534, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
 - a. IM No. 14-121

3. **Ordinance Serial No. 14-075:** An Ordinance Creating West Carpenter Lake Road Natural Gas Local Improvement District No. 542, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
 - a. IM No. 14-122

4. **Ordinance Serial No. 14-095:** An Ordinance Creating South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
 - a. IM No. 14-144

Mayor DeVilbiss opened the public hearing.

The following person requested to be included in the local improvement district that is the subject of Ordinance Serial No. 14-074: Ms. Carolyn Helmuth.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial Nos. 14-068, 14-074, 14-075, and 14-095.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 14-079:** An Ordinance Approving Request For Assembly Approval From Agricultural Rights Owner Of MSB000471 To Subdivide The 40-Acre Parcel Containing The Home Site From The Parent Parcel And Convey All Or Part Of The Property To A New Owner (MSB000471).
 - a. IM No. 14-114

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 14-079.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 14-092:** An Ordinance Adopting The 2014 Crystal Lake - Lake Management Plan Update, And Amending MSB 17.59, Lake Management Plan Implementation, To Address Revised Quiet Hours And A 100-Foot No Wake Zone.
 - a. IM No. 14-112

Mayor DeVilbiss opened the public hearing.

The following persons spoke in support of the Planning Commission recommendations for Ordinance Serial No. 14-092: Mr. Tom Phillips, Ms. Suzanne Minert, Mr. Jim Enters, Mr. Mike Marsh; Ms. Cathy Houston, Mr. Mike Bryers, Mr. Kevin Eggleston, Ms. Eva Enters, Ms. Angie Garrouette, Ms. Jeannie Schachle, and Mr. Ed Lamb.

The following persons spoke in opposition to the Planning Commission recommendations for Ordinance Serial No. 14-092: Mr. Gary Eley; Ms. Terry McConnell, Ms. Sasha Prewitt, Ms. Laura Storrs, Ms. Carline Martyn, Mr. Luke Martyn, Ms. Sunnie Briggs Houle, Mr. Hayden Madison, Ms. Phyllis Henderson, Ms. Sandra Alto, Ms. Teresa Eng, Mr. Dale Bingham, Mr. Jalmer Alto, Ms. Susan Peach, Mr. Richard Henderson, Ms. Freedom Madden, and Ms. Marie Jennings.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-092.

- MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 14-092, MSB 17.59.060(C) as follows:
- by striking MSB 17.59.060(C)(2)(l) in its entirety; and
 - by inserting MSB 17.59.060
 - (C)(1) 200-feet from shoreline:
 - (a) Crystal Lake; and
 - by renumbering the remaining sections thereafter accordingly.

VOTE: The primary amendment passed with Assemblymembers Arvin, Colligan, and Salmon opposed.

- MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 14-092, MSB 17.59.060(D)(13), by inserting the following:
- “(13) Two stroke motors, regardless of fuel delivery system, are prohibited on: (a) Crystal Lake beginning May 1, 2016.

MOTION: Assemblymember Colligan moved a secondary amendment by striking “2016” and inserting “2018” in its place.

VOTE: The secondary amendment failed with Assemblymember Colligan in support.

VOTE: The primary amendment passed with Assemblymembers Arvin, Colligan, and Salmon opposed.

VOTE: The main motion passed as amended with Assemblymembers Arvin, Colligan, and Salmon opposed.

(The meeting recessed at 8:35 p.m. and reconvened at 8:42 p.m.)

7. **Ordinance Serial No. 14-093:** An Ordinance Providing For The Sale Of Certain Borough-Wide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2005 And Prior, 2006 And Prior, 2007 And Prior, 2008 And Prior, And Delinquent Special Assessment For The Year 2009 And Prior And Not Needed For Public Purpose.

a. IM No. 14-137

Mayor DeVilbiss opened the public hearing.

The following persons requested that their property be removed from the tax foreclosure sale of Ordinance Serial No. 14-093: Mr. Scott Dennett, Ms. Mary Proset-Dennett, and Ms. Susan Maxson.

The following person spoke to the Borough and State not having authority: Mr. Ralph Winderowd.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-093.

MOTION: Assemblymember Arvin moved a primary amendment to Ordinance Serial No. 14-093 to strike the following properties identified by tax account number from the tax foreclosure list:

- 56517B01L001;
- 56540B01L006;
- 51518B06L014;
- 51248B01L005; and
- 56189000L003.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Arvin moved a primary amendment to Ordinance Serial No. 14-093 to strike the following properties identified by tax account number from the tax foreclosure list:

- 53154B01L014;
- 56234000L003; and
- 52754B01L005.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

8. **Ordinance Serial No. 14-094:** An Ordinance Authorizing The Borough To Issue Areawide General Obligation Bonds, In One Or More Series, To Refund Certain Outstanding General Obligation Bonds Of The Borough; Fixing Details Of Such Bonds; And Authorizing Their Sale.

a. IM No. 14-142

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-094.

MOTION: Assemblymember Arvin moved a primary amendment to Ordinance Serial No. 14-094 as follows:

- Section 2; by striking (C) and (D) in their entirety and renumber the remaining sections accordingly;
- Section 2; newly renumbered (E) by striking the words “Bonds or the 2014 Series “D” Bonds” and inserting the words “general obligation school refunding bonds: after the word “the” and inserting the words “of the Borough issued to refund the refunded bond, as provided in this ordinance” to read: “(E) Bond” or Bonds” means any or all of the General Obligation School Refunding Bonds, 2014 Series “C” of the Borough issued to refund the refunded bonds, as provided in this ordinance;”
- Section 3; by striking in the first paragraph the words “2006 Series A and 2006 Series C;”
- Section 5, second paragraph; by striking the words “a date after” and the words “no earlier than six months and” to read: “The Bonds shall bear interest from their date, payable commencing on February 1, or August 1 is no later than 12 months after their dated date, and semi-annually thereafter on February 1 and August 1 in each year. Interest will be computed on the basis of a 360-day year consisting of twelve 30-day months;” and
- Section 18, by striking the words “Series A” and replacing it with the word “refunded;” and by striking the words “2014 Series C Bonds to the underwriter, and such call shall become irrevocable upon such delivery. The

Call for redemption of any 2006 Series B Bonds shall be subject to the delivery of the 2014 Series D” to read: “The Borough Manager and the Borough Finance Director each is authorized and directed to call the Refunded Bonds for redemption on the earliest date on which the Refunded Bonds may be called for optional redemption. The call for redemption of any Refunded Bonds to the Underwriter, and such call shall become irrevocable upon such delivery. The call for redemption of any 2006 Series B Bonds shall be subject to the delivery of the 2014 Series D Bonds to the Underwriter, and such call shall become irrevocable upon such delivery. Notice of redemption of the Refunded Bonds shall be given in the manner set forth in the ordinance authorizing the issuance of the Refunded Bonds.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

9. **Ordinance Serial No. 14-096:** An Ordinance Accepting And Appropriating Additional Funds For Revision No. 1 In The Amount Of \$249,000 For The Replacement Of Up To 17 Culverts As Part Of The Fish Passage Improvements Project, Project No. 30114.
 - a. **Resolution Serial No. 14-058:** A Resolution Amending The Scope Of Work And Budget For Revision No. 1, In The Amount Of \$249,000, For Replacement Of Up To 17 Culverts As Part Of The Fish Passage Improvements Project.
 - (1) IM No. 14-119

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-096 and Resolution Serial No. 14-058

VOTE: The motion passed without objection.

10. **Ordinance Serial No. 14-097:** An Ordinance Accepting And Appropriating \$32,550 From The Alaska State Department Of Natural Resources, Division Of Parks And Outdoor Recreation, To Fund 440, Project No. 15015, For The Construction Of 1.2 Miles Of New Trails In The Crevasse Moraine System.
 - a. **Resolution Serial No. 14-059:** A Resolution Approving The Scope Of Work And Budget For The Trails In The Crevasse Moraine System.
 - (1) IM No. 14-146

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 14-097 and Resolution Serial No. 14-059.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke in opposition to the impoundment fees at the animal shelter: Mr. Richard Giancoli.

The following person spoke to concerns with the public process: Mr. Eugene Haberman.

Assemblymember Colligan stated that he would have to excuse himself from the meeting early, as he has family responsibilities to tend to.

(Assemblymember Colligan exited the meeting.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 14-060:** A Resolution Amending The Scope Of Work For Project No. 45253 To Fund The Design And Construction Of The New Caswell Fire Service Area Station 13-1.

(1) IM No. 14-147

b. **Resolution Serial No. 14-061:** A Resolution Amending The Budgets For Project Nos. 10140 And 45186 To Allow The Wasilla Lakes Fire Service Area To Make Upgrades To Fire Apparatus.

(1) IM No. 14-151

c. **Resolution Serial No. 14-062:** A Resolution Revising The Schedule Of Fees For The Collection And Disposal Of Solid Waste.

(1) IM No. 14-158

d. **Resolution Serial No. 14-063:** A Resolution Amending The Budgets For Project Nos. 10174, 10163, And 10179 And Approving The Scope Of Work To Allow The Rural Ambulance Service To Continue With Phase I Of The Sutton Ambulance Building Redesign Project.

(1) IM No. 14-164

e. **Resolution Serial No. 14-064:** A Resolution Approving The Amended Budgets And Transfer Of Funds In The Amount Of \$100,000 From The Willow Lake Drive Upgrade Project, Project No. 35409, To The Caswell Lakes Road Upgrades Project, Project No. 35408.

(1) IM No. 14-165

2. ACTION MEMORANDUMS

- a. **AM No. 14-093:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.
- b. **AM No. 14-102:** Award Of Bid No. 15-004B To Tutka, LLC. In The Contract Amount Of \$290,691 For Birch Hill Drive Reconstruction.
- c. **AM No. 14-104:** Extension Of Contract No. 04-098 With North Star Group In An Amount Not To Exceed \$75,000 For Federal Lobbyist Services.
- d. **AM No. 14-105:** Award Of Bid 15-009B To Orion Construction, Inc. In The Contract Amount Of \$381,829 For School District Washroom Upgrades at Snowshoe Elementary, Cottonwood Elementary, Pioneer Peak Elementary, Butte Elementary, and Wasilla Middle School.
- e. **AM No. 14-109:** Approval Of Change Order Authority For Contract 13-110B To Davis Constructors And Engineering Inc. In An Amount Not To Exceed \$9,557.93 For The MSB Athletic Complex Upgrades Construction Project.
- f. **AM No. 14-110:** Award Of Bid No. 15-005B To Tew's Inc. In The Contract Amount Of \$174,600 To Provide Crack Sealing Services Throughout The Borough Road Service Areas.
- g. **AM No. 14-111:** Award Of Bid No. 15-011B To Eklutna Services, LLC. In The Contract Amount Of \$525,000 For Houston High School Exterior Envelope Upgrades.
- h. **AM No. 14-112:** Award Of Bid No. 15-013B To Wolverine Supply, Inc. In The Contract Amount Of \$227,000 For The Swanson Elementary School Exterior Envelope Repairs.
- i. **AM No. 14-113:** Award Of Request For Proposal No. 15-008P To ECI/Hyer, Inc. In The Contact Amount Of \$149,418 For A Permanent Emergency Operations Center Feasibility Study.
- j. **AM No. 14-114:** Approval Of Change Order Authority To Contract No. 13-085B With Bristol Construction Services LLC. In An Amount Not To Exceed \$36,907 For The South Central Regional Emergency Services Training Center Project.
- k. **AM No. 14-115:** Award Of Bid No. 15-020B To Tutka, LLC. In The Contract Amount Of \$580,000 For Athletic Field And Court Improvements At Finger Lake Elementary, Glacier View Elementary, Houston Middle-Senior High School, Larson Elementary, and Snowshoe Elementary.
- l. **AM No. 14-116:** Authorization To Purchase Sodium Chloride From Bering Marine Corporation In The Amount Of \$379,666 For Winter Road Maintenance.

- m. **AM No. 14-117:** Award Of Bid No. 15-021B To Jim Psenak Construction In The Contract Amount Of \$114,394.20 For The Upgrade Of 58 Mile Road, Stayton Avenue, And Granite View Drive.
- n. **AM No. 14-118:** Vacation Of A 33-Foot Wide Section Line Easement Located On The South Side Of Government Lot 3, Section 12, Township 21 North, Range 5 West, North And East Sides Of Government Lot 1, Section 13, Township 21 North, Range 5 West, And The West Side Of Government Lot 1, Section 18, Township 21 North, Range 4 West, Seward Meridian.
- o. **AM No. 14-119:** Approval Of Election Officials For The October 7, 2014, Regular Election.

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to approve the consent agenda as read into the record by the Clerk.

VOTE: The motion passed without objection.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 08/26/14, Assembly Chambers)

- 1. **Ordinance Serial No. 14-098:** An Ordinance Accepting And Appropriating A \$10,000 Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Requesting A Reappropriation Of \$1,111 From The Sutton Fire Service Area Fiscal Year 2015 Operating Budget, Fund 253, To Project No. 20255, Fund 405, For Wildland/Fire Equipment.
 - a. **Resolution Serial No. 14-065:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Matching Funds For Sutton Fire Service Area, Project No. 20255, Fund 405.
 - (1) IM No. 14-148
- 2. **Ordinance Serial No. 14-099:** An Ordinance Accepting And Appropriating A \$10,000 Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Requesting A Reappropriation Of \$1,111 From The Butte Fire Service Area Fiscal Year 2015 Operating Budget, Fund 251, To Project No. 20144, Fund 405, For Wildland/Fire Equipment.
 - a. **Resolution Serial No. 14-066:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Matching Funds For Butte Fire Service Area, Project No. 20144, Fund 405.
 - (1) IM No. 14-149

3. **Ordinance Serial No. 14-100:** An Ordinance Appropriating \$30,000 From The Greater Palmer Consolidated Fire Service Area Fund Balance, Fund 259, To Fund 405, Project No. 45215, For The Purchase Of Firefighting/Firefighter Equipment.
 - a. **Resolution Serial No. 14-067:** A Resolution Approving The Scope Of Work And Budget For Project No. 45215 For The Purchase Of Firefighting/Firefighter Equipment.
 - (1) IM No. 14-150

4. **Ordinance Serial No. 14-101:** An Ordinance Accepting And Appropriating \$13,913 From The Alaska State Division Of Homeland Security And Emergency Management For The Borough Local Emergency Planning Committee, Fund 480, Project No. 20259, For Fiscal Year 2015 Operations.
 - a. **Resolution Serial No. 14-068:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 20259, Fund 480, For The Borough Local Emergency Planning Committee.
 - (1) IM No. 14-152

5. **Ordinance Serial No. 14-102:** An Ordinance Accepting And Appropriating September 2012 Southcentral Flood Disaster Relief Monies In The Amount Of \$580,609 From The Alaska State Division Of Homeland Security And Emergency Management And The Federal Emergency Management Agency To Fund 445, Project No. 55017.
 - a. **Resolution Serial No. 14-069:** A Resolution Amending The Budget For The September 2012 Southcentral Flood Disaster Relief Monies, Project No. 55017.
 - (1) IM No. 14-153

6. **Ordinance Serial No. 14-103:** An Ordinance Accepting And Appropriating \$388,000 For A Portion Of Grant Funds From The Alaska State Department Of Commerce, Community, And Economic Development For A Willow Fire Service Area Fiscal Year 2014 Designated Legislative Grant Project For Project No. 45274, Fund 405.
 - a. **Resolution Serial No. 14-070:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Alaska State Department Of Commerce, Community, And Economic Development Grant For Willow Fire Service Area Project No. 45274, Fund 405.
 - (1) IM No. 14-154

7. ~~**Ordinance Serial No. 14-104:** An Ordinance Amending MSB 17.58.005 And 17.58.110, Motorized Uses On Lakes And Waterways, To Prohibit The Use Of Airboats On Finger Lake And Amending MSB 1.45.100, Schedule Of Fines For Infractions, To Enforce The Prohibition Of Airboats On Finger Lake.~~
 - a. ~~IM No. 14-157~~

8. **Ordinance Serial No. 14-105:** An Ordinance Accepting And Appropriating \$345,223 From The Alaska State Department Of Health And Social Services, To Fund 475, Project No. 20388, For The Human Services Community Matching Grant.
 - a. **Resolution Serial No. 14-071:** A Resolution Allocating Human Services Community Matching Grant Funds To Nonprofit Human Service Agencies Within The Community

And Authorizing The Manager To Enter Into Grant Agreements With The Subgrantee Agencies.

- b. **Resolution Serial No. 14-072:** A Resolution Approving The Scope Of Work And Budget For Participation In The Human Services Community Matching Grant Program.
 - (1) IM No. 14-159

- 9. **Ordinance Serial No. 14-106:** An Ordinance Amending MSB 17.28.090(A), By Adding An Interim Materials District Known As Mass Excavation, Located At 11375 East Herman Road; MSB Tax Account No. 17N02E18D003; Within Township 17 North, Range 2 East, Section 18, Seward Meridian.
 - a. IM No. 14-160

- 10. **Ordinance Serial No. 14-107:** An Ordinance Allowing For Permanent Registration Of Motor Vehicles Over Eight Years Old And For Permanent Registration Of Noncommercial Trailers.
 - a. **Ordinance Serial No. 14-108:** An Ordinance Amending MSB 3.24.030(B), And Providing For Delayed Implementation Dates. (*Sponsored by Assemblymember Colver*)
 - (1) IM No. 14-161

- 11. **Ordinance Serial No. 14-109:** An Ordinance Amending MSB 17.28.090(A), By Adding An Interim Materials District Known As Section 9 Pit, Located Within Township 15 North, Range 4 West, Section 9, Parcel B1 (Tax ID No. 15N04W09B001), Seward Meridian.
 - a. IM No. 14-162

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 26, 2014.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Animal Care and Regulation Board
David Allen
Jamie West, resignation from Alternate position
Jamie West, confirmation to Animal Trainer position
Historical Preservation Commission
Karin Olmedo, resignation
West Lakes FSA No. 136
Steve Simpson

Circle View & Stampede Estates Flood and Water Erosion Control No. 131
Linda Smith, resignation

Mayor DeVilbiss has the following under consideration:

Library Board
Marci Hawkins
Local Emergency Planning Committee
Heather Vest
Angela Wade

MOTION: Assemblymember Arvin moved to approve the Mayor's resignations and appointments up for confirmation this evening.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

1. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED

- a. **Ordinance Serial No. 14-086:** An Ordinance Amending MSB 3.15.037 To Provide For A Residential Real Property Tax Exemption Of \$68,000 Of The Assessed Value Of Real Property Owned And Occupied As A Permanent Abode By A Resident Who Is 65 Years Of Age Or Older, A Disabled Veteran, Or A Person At Least 60 Years Old Who Is A Widow Or Widower Of A Person Who Was Qualified For The Exemption, And Submitting The Question To The Qualified Voters At The October 7, 2014, Regular Borough Election. *(Sponsored by Assemblymember Arvin)*
- (1) IM No. 14-131

MOTION: Assemblymember Arvin moved to amend Ordinance Serial No. 14-086 and IM No. 14-131 as follows:

- by striking the title of the ordinance in its entirety and inserting the following in its place: "An ordinance of the Matanuska-Susitna Borough Assembly submitting a question to the qualified voters at the October 7, 2014, regular Borough election to allow for an optional residential real property tax exemption in an amount such that each year, the total exemption is equal to the average assessed value of single family residential property owned and occupied as a permanent abode by a resident who is 65 years of age or older, a disabled veteran, or a person at least 60 years old who is a widow or widower of a person who was qualified for the exemption;"
- by striking the 7th whereas clause in its entirety and inserting the following in its place: "Whereas, the intent of this ordinance is to provide a tax exemption to those senior citizens over age 65, disabled veterans, and their surviving spouses at least 60 years old from paying real property taxes on the average assessed value of a single family residential property each year;"

- by striking the 9th whereas clause in its entirety and inserting the following in its place: “Whereas, for example, if this ordinance were in effect now, the optional real property tax exemption (above the mandated \$150,000 exemption) in the amount of \$67,553 would apply for a total of \$217,553 for senior citizens over age 65, disabled veterans, and their surviving spouses at least 60 years old;”
- by striking the final whereas clause in its entirety and inserting the following in its place: “Whereas, the intent and rationale of this ordinance is not fully provided in the informational memorandums accompanying this ordinance because the ordinance was amended and modified from the time it was initially drafted. The intent is for the voters to approve an optional exemption such that it can be set annually in an amount so that the total amount of senior/disabled exemption is equal to the average assessed value of a single family residential property in the Matanuska-Susitna Borough as determined by the Assembly. If approved by the voters, the code will be amended in 2015 prior to adoption of the Fiscal Year 2016 budget;”
- by deleting Section 2 in its entirety and by striking all references to Section 2 within the ordinance; and
- by striking the ballot language from Section 3 in its entirety and inserting the following in its place:

Proposition No. ____
 Senior/Disabled Residential Owner Occupied Property
 Tax Exemption of the Average Assessed value of a
 Single Family Residential Property

Should the Matanuska-Susitna Borough provide an optional senior/disabled real property tax exemption so that the total amount of senior/disabled tax exemption is equal to the average assessed value of a single family residential property in the Borough?

The exemption will only apply to the assessed value of real property owned and occupied as a permanent place of abode of a resident who is (1) 65 years of age or older, (2) a disabled veteran, including a person who was disabled in the line of duty while serving in the Alaska Territorial Guard, or (3) at least 60 years old and a widow or widower of a person who qualified for an exemption as noted in (1) or (2) above.

This optional exemption will be adjusted annually as that the total amount of senior/disabled exemption will equal the average assessment of all single family residential property in the Borough as determined by the Assembly.

Should this ordinance become law?

Yes No.

VOTE: The motion to amend something previously adopted failed unanimously.

MOTION: Assemblymember Arvin moved to amend Ordinance Serial No. 14-086, which was previously adopted on June 17, 2014, by reinstating the original ordinance language as proposed June 17, 2014, prior to amendment.

VOTE: The motion to amend something previously adopted passed without objection.

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals presented.)

XI. RECONSIDERATION

MOTION: Assemblymember Colver moved to reconsider Ordinance Serial No. 14-079 for the purpose of reopening the public hearing on August 26, 2014.

MOTION: Assemblymember Salmon called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The motion to reconsider failed with Assemblymembers Arvin and Colver in support.

MOTION: Assemblymember Arvin moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 10:30 p.m.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Ms. McKechnie advised that she will be out of the office on Thursday and Friday this week.

Assemblymember Colver:

- extended condolences to Port Commissioner Riggs family; and
- opined that the Port Building should be named after Mr. Riggs.

Assemblymember Beck:

- spoke in support of naming the Port Building after Mr. Riggs;
- noted his concerns that the public has to come before the body regarding tax foreclosures;
- thanked the public for their testimony; and
- thanked the body for the meeting.

Assemblymember Sykes:

- requested a planning session to discuss Assembly priorities;
- opined that the Manager should not sign the memorandum of understanding (MOU) with the Mat-Su Business Alliance; and
- spoke to concerns with the language within the MOU.

Assemblymember Salmon:

- opined that public meetings are for the people, by the people who bother to attend them;
- noted that minority rights must be protected and the majority does not always win; and
- spoke to concerns with restricting the freedom of residents to recreate.

Assemblymember Halter:

- requested an update on the Crystal Lake Management Plan for July of 2015; and
- spoke to his intent to provide 4-stroke personal water craft model information for Mayor DeVilbiss.

Mayor DeVilbiss requested to have the information on the number of personal water craft currently on Crystal Lake.

Assemblymember Arvin:

- spoke to his concerns with the landfill contract;
- opined that it should be put out for rebid right away; and
- stated that he would like to direct the Manager to do so.

Discussion ensued regarding:

- the possibility of putting the landfill out for bid;
- concerns of putting it out to bid without enough information;
- the desire to let Public Works do their job and not micromanage them;
- when the current contract expires;
- whether the contractor would accept a two-month extension of the current contract;
- whether there is someone internally who monitors contractors to ensure compliance with bid requirements; and
- whether to have a special meeting for the issue or to discuss it under the Manager's Report at the next meeting.

Ms. McKechnie advised that she could add Landfill Contract discussion to the August 26, 2014, regular Assembly meeting agenda under the Manager's report.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Assemblymember Arvin:

- spoke to concerns with the erosion of personal rights and freedoms; and
- opined that turning to Government to settle neighborhood issues does not always work.

Mayor DeVilbiss:

- expressed his concerns with Government micromanaging lake use and other issues; and
- opined that we live in a democratic republic, which is to protect the rights of the minority.

XIII. EXECUTIVE SESSION

- A. **Bell vs. MSB** (*For Matters, Which The Immediate Public Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Borough; And Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Kept Confidential; And Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure.*)

MOTION: Assemblymember Arvin moved to enter into executive session to discuss matters, which the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough; and matters which by law, municipal charter, or ordinance are required to be kept confidential; and matters involving consideration of government records that by law are not subject to public disclosure; in particular to discuss Bell vs. MSB litigation. Those present during the executive session were the Mayor, the members of the Assembly, the Manager, the Attorney, and the Clerk.

VOTE: The motion passed without objection and the Assembly entered into executive session at 10:09 p.m.

MOTION: Assemblymember Arvin moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 10:27 p.m.

XIV. ADJOURNMENT

The regular meeting adjourned at 10:27 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 08/26/14